25W 3727

TRANSMITTAL			pplication Number		information unless it displays a valid OMB control 091,610 rch 5, 2002		
			iling Date	Marc			
MARK	FORM	F	First Named Inventor Costin		in, et al.		
(to be used for	(to be used for all correspondence after initial filing)		rt Unit	3727			
		E	xaminer Name	Mere	ek, Joseph C.		
Total Number of	Pages in This Submission 5	Α	ttorney Docket Number	7001	-11		
		ENCLO	SURES (Check all	that appl	W		
			JOILO (CHECK all	шасаррі	After Allowance communicatio		
Fee Trans	smittal Form	Dra	wing(s)		to Technology Center (TC)		
☐ F	ee Attached	Lice	ensing-related Papers		Appeal Communication to Boa of Appeals and Interferences		
Amendment/Reply			tion		Appeal Communication to TC (Appeal Notice, Brief, Reply Brie		
			tion to Convert to a		Proprietary Information		
After Final Affidavits/declaration(s)			visional Application ver of Attorney, Revocation	n			
			inge of Correspondence A	ddress	Status Letter Other Enclosure(s) (please Identify below):		
Extension of Time Request		Terr	minal Disclaimer				
Express A	Express Abandonment Request		uest for Refund		Response to Restriction Requiremen		
Information	on Disclosure Statement	CD,	Number of CD(s)				
	Copy of Priority	Remarks					
Documen							
	e to Missing Parts/ ee Application		•				
	esponse to Missing Parts ander 37 CFR 1.52 or 1.53						
· · · · · · · · · · · · · · · · · · ·	SIGNATU	RE OF	APPLICANT, ATTOR	RNEY, (OR AGENT		
Firm	Akerman Senterfitt/Theodore	M. Green	, Reg. No. 41,801	-di-			
or Individual name P.O. Box 3188 West Palm Beach, FL 33402-3188							
Signature August 200							
Date	July 28, 2004						
	CEF	RTIFICA	TE OF TRANSMISSI	ON/MA	ILING		
<u> </u>					sited with the United States Postal Service		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

July 28, 2004

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (10-03)

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FEE E	TR	AN	SMIT	TAL
SQ IBADEME	for	FY	2004	

(\$) 0.00

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

Complete if Known		
Application Number	10/091,610	
Filing Date	March 5, 2002	
First Named Inventor	Costin, et al.	
Examiner Name	Merek, Joseph C.	
Art Unit	3727	
Attornov Docket No.	7001-11	

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)				
Check Credit card Money Other None	3. ADDITIONAL FEES					
Deposit Account:	Large E					
Deposit Account 50-0951	Fee Code	Fee (\$)		Fee (\$)	Fee Description	Fee Paid
Number	1051	130	2051		Surcharge - late filing fee or oath	
Deposit Account Akerman Senterfitt	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Name The Director is authorized to: (check all that apply)	1053	130	1053	130	Non-English specification	
Charge fee(s) indicated below Credit any overpayments	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge any additional fee(s) or any underpayment of fee(s)	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
to the above-identified deposit account.	1251	110	2251	55	Extension for reply within first month	
FEE CALCULATION	1252	420	2252	210	Extension for reply within second month	
1. BASIC FILING FEE Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month	
Fee Fee Fee Fee Fee Description Fee Paid	1254	1,480	2254	740	Extension for reply within fourth month	
Code (\$)	1255	2,010	2255	1,005	Extension for reply within fifth month	
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal	
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal	
1004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
SUBTOTAL (1) (\$) 0.00	1452	110	2452	55	Petition to revive - unavoidable	
		1,330	2453	665	Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1,330	2501	665	Utility issue fee (or reissue)	
Extra Claims below Fee Paid	1502	480	2502	240	Design issue fee	
Total Claims 20** = X =	1503	640	2503	320	Plant issue fee	
Claims 3** = X = Muttiple Dependent	1460	130	1460	130	Petitions to the Commissioner	
	1807	50	1807	7 50	Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity Fee Fee Fee Fee Fee Description	1806	180	1806		Submission of Information Disclosure Stmt	—
Code (\$) Code (\$)	8021	40	8021	1 40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be	
1204 86 2204 43 ** Reissue independent claims					examined (37 CFR 1.129(b))	\vdash
over original patent	1801	770	2801		Request for Continued Examination (RCE)	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	Request for expedited examination of a design application	
SUBTOTAL (2) (\$) 0.00		fee (sp			- Bid	
**or number previously paid, if greater; For Reissues, see above	Redu	ced by	Basic	riling F	ee Paid SUBTOTAL (3) (\$) 0.00	

(Complete (if applicable)) SUBMITTED BY Registration No. Telephone 561.653.5000 41,801 Name (Print/Type) Theodore M. Green July 28, 2004 m Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: COSTIN ET AL.

Application No. 10/091,610 Examiner: MEREK, Joseph C.

Filed: March 5, 2002 Group Art Unit: 3727

For: INTERCHANGEABLE FITMENT APPARATUS AND SYSTEM

RESPONSE TO RESTRICTION REQUIREMENT

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 7126104.

Theodore M. Green

Reg. No. 41,801

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313

Sir:

This response is in reply to a restriction requirement set forth in the Office Action dated July 1, 2004, in the above-identified application, with a one month shortened statutory period, making a response due on or before August 1, 2004. This response is timely filed.

REMARKS

In the above-identified Office Action, the Examiner has issued a restriction requirement and requires election of one of the following inventions under 35 U.S.C. §121:

Group I: Claims 8-10, drawn to a fitment system; and

Group II: Claims 18-20 drawn to a method of providing an interchangeable fitment system.

In response, Applicants hereby elect Group I (Claims 8-10) drawn to a fitment system. This election is made without traverse. The elected claims set forth, herein, are merely to comply with the Restriction Requirement and is not to be construed as surrender of any subject

{WP191126;1}